

The Little Traverse Bay Bands of Odawa Indians Tribal Council
Tribal Court Room 7500 Odawa Circle, Harbor Springs, MI 49740

December 8, 2002
Smudging: 9:15 am
9:30 am

Executive Session: yes

Call to order: Meeting was called to order at 9:33 am

Council present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony,
Treasurer Alice Yellowbank, Secretary Fred Harrington Jr., Councilor Janet Shomin,
Councilor Rita Shananaquet, Councilor Beatrice A. Law

Council absent: none

Staff present: See attached list

Guests: See attached list

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to adopt the agenda for December 8, 2002.

Vote: 6 Yes, 1 No (Councilor Janet Shomin), 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve the corrected minutes of November 24, 2002.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0
Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Vice-Chairman George Anthony, to ratify and enter into the record the phone poll dated December 3, 2002,
Reason for Phone Poll: "to authorize the land acquisition discussed at the November 24 Council meeting as described and at the price suggested in the Confidential Legal Memorandum dated December 3, 2002." This action was required prior to the regularly scheduled meeting of December 8, 2002, the phone poll passed.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to accept the Tribal Administrator's verbal and written report for December 8, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to direct the Tribal Treasurer to work with the Tribal Administrator and the

Accounting Department to formulate a plan for a combined enterprise/governmental financial infrastructure to be presented at a work session in April 2003.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0

Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to change the title of the Substance Abuse Department to "LTBB Behavioral Health Healing Lodge."

Vote: 3 Yes, 4 No (Councilor Janet Shomin, Councilor Rita Shananaquet, Vice-Chairman George Anthony, Treasurer Alice Yellowbank), 0 Abstained, 0 Absent

Motion failed

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve the closure of Tribal Operations offices due to inclement weather as determined by the Tribal Administrator, providing that all emergency and regulatory operations shall remain available to Tribal Members, further the time off for employees shall be paid in accordance with procedures to be developed by the Tribal Administrator.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0

Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to accept the Tribal Chairman's verbal and written report for December 8, 2002.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to write a letter of support for the appointment of Mathew Wesaw to the directorship of the Michigan State Police.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

10:58 am, recessed

11:07 am, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to accept the verbal and written report from the Trust Fund Board as presented by Chair Carol Jeffers and Treasurer Ken Harrington.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

11:42 am, public comment opened, Carol McFall, Doris Adams, Andrew Stitch

11:44 am, public comment closed

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to accept the verbal and written report from the Education Commission Vice-Chair Catherine Laba.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to accept the verbal and written report from the Enrollment Commission Chair Angie Woodin.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Secretary Fred Harrington Jr., to accept the verbal and written report from the Gaming Regulatory Commission Vice-Chair Michael McCreery.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Janet Shomin and supported by Treasurer Alice Yellowbank, support withdrawn, to allow the Gaming Regulatory Commission to send a letter requesting an extension for 6 months for the new MICS requirements.

Motion dies due to lack of support

Motion made by Treasurer Alice Yellowbank and supported by Councilor Beatrice A. Law, to send a letter to the NIGC requesting a 6-month extension for the new MICS and to authorize the Tribal Chair to sign.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Councilor Beatrice A. Law and supported by Vice-Chairman George Anthony, to approve the Odawa Women's Council request for a donation of \$9,000.00 to facilitate a Christmas Party To come from the Enterprise Fund, General Welfare, other line item and to modify that budget to increase the other line item by \$10,000.00.

Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

12:57 pm, recessed until 2:30 pm

2:35 pm, reconvened

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Rita Shananaquet, to accept the Health Board's written report.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Treasurer Alice Yellowbank, to accept the verbal and written report from the Housing Commission Chairperson, Shirley Oldman.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve for submittal to the United States Environmental Protection Agency, the "Little Traverse Bay Bands of Odawa/U.S. EPA Region 5 Tribal Environmental Agreement" for fiscal years 2003 – 2005, and further authorize the Chairman to sign two original agreements.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Burial Fund Request #A0042 for \$5,000.00.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Burial Fund Request #A0043 for \$4,688.10.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Enrollment List A – Eligible for Membership, dated November 21, 2002.

Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Enrollment List B – Reinstatement, dated November 21, 2002.

Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Enrollment List C – Declination (Ineligible), dated November 21, 2002.

Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Rita Shananaquet), 0 Abstained, 0 Absent

Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to approve Enrollment List D – Ineligible (Lack of documentation), dated November 21, 2002.

Vote: 5 Yes, 2 No (Chairman Gerald V. Chingwa, Councilor Janet Shomin), 0
Abstained, 0 Absent
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the Economic Development Commission's Tribal Member Survey and authorize its delivery by a special mailing to all Tribal head of households.
Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to postpone enactment of the SOLID WASTE DISPOSAL STATUTE pending legal review.
Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to approve the budget modification to the Tribal Court budget increasing Tribal Council's share of the space costs for fiscal year 2003 by \$23,946.17.
Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0
Abstained, 0 Absent
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to direct the Tribal Treasurer to develop "Land Acquisition" policy and procedures.
Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent
Motion carried

Motion made by Secretary Fred Harrington Jr. and supported by Councilor Beatrice A. Law, to fund the MIS/Netcom phone system proposal not to exceed a total cost of \$125,000.00 to come from the FY 2002 Enterprise Fund, Economic Development, capitol improvements line item.
Vote: 5 Yes, 2 No (Councilor Janet Shomin, Councilor Rita Shananaquet), 0
Abstained, 0 Absent
Motion carried

3:56 pm, public comment, Shirley Oldman

3:58 pm, public comment closed

3:58 pm, recessed

4:06 pm, reconvened

Motion made by Councilor Rita Shananaquet and supported by Vice-Chairman George Anthony, to give \$50.00 to all Tribal Members 54 and under by December 15, 2002

to come from the Human Services other line item with the budget to be increased by \$160,000.00 from the Enterprise Fund, General Welfare line item.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

4:39 pm, Motion made by Vice-Chairman George Anthony and supported by Councilor Rita Shananaquet, to begin an executive session.

Vote: 5 Yes, 1 No (Secretary Fred Harrington Jr.), 0 Abstained, 1 Absent
(Councilor Beatrice A. Law)

Motion carried

4:52 pm, Motion made by Councilor Janet Shomin and supported by Vice-Chairman George Anthony, to return to open session.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

4:53 pm, Motion made by Secretary Fred Harrington Jr. and supported by Vice-Chairman George Anthony, to adjourn.

Vote: 7 Yes, 0 No, 0 Abstained, 0 Absent

Motion carried

These minutes have been read and approved as written:

Recorded by:

Fred Harrington Jr., Tribal Secretary

Date